

8-19-04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/813,456	03/29/2004	Anthony J. Governo	15358US01

CONFIRMATION NO. 4680

00023446  
 MCANDREWS HELD & MALLOY, LTD  
 500 WEST MADISON STREET  
 SUITE 3400  
 CHICAGO, IL 60661

## FORMALITIES LETTER



\*OC000000012944209\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents

08/20/2004 YPOLITE1 00000009 10813456

P.O. Box 1450

01 FC:2051

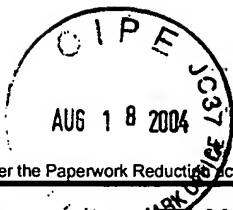
65.00 OP

Alexandria VA 22313-1450

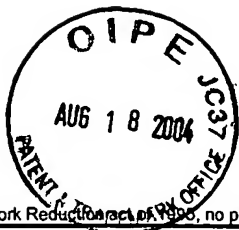
*A copy of this notice **MUST** be returned with the reply.*

MBae  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



TRANSMITTAL FORM		Application Number	
(to be used for all correspondence after initial filing)		10/813,456	
		Filing Date	
		3-29-04	
		First Named Inventor	
		Anthony J. Governo	
Group Art Unit			
Examiner Name			
Attorney Docket Number		15358US01	
Total Number of Pages in This Submission		9	
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form		<input type="checkbox"/> Assignment Papers (for an Application)	
<input checked="" type="checkbox"/> Fee Attached		<input type="checkbox"/> Drawing(s) (      sheets)	
<input type="checkbox"/> Amendment/Reply		<input type="checkbox"/> Licensing-related Papers	
<input type="checkbox"/> After Final		<input type="checkbox"/> Petition	
<input type="checkbox"/> Affidavits/declaration(s)		<input type="checkbox"/> Petition to Convert to a Provisional Application	
<input checked="" type="checkbox"/> Extension of Time Request		<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
<input type="checkbox"/> Express Abandonment Request		<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement		<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> PTO 1449/08A with references		<input type="checkbox"/> CD Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)			
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application			
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			
Remarks		Response to Notice To File Missing Parts Of Nonprovisional Application	



Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Project of 1998, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL</b> <b>for FY 2004</b> Patent Fees are subject to annual revision.	<b>Complete if Known</b>
	Application Number: 10/813,456 Filing Date: 3-29-04 First Named Inventor: Anthony J. Governo Examiner Name: Group Art Unit: Attorney Docket No.: 15358US01
	TOTAL AMOUNT OF PAYMENT (\$):

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																				
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">           Deposit Account Number: 13-0017            Deposit Account Name: McAndrews Held &amp; Malloy         </div> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other	<b>3. ADDITIONAL FEES</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>65.00</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td>55.00</td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - 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late filing fee or oath	65.00	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month	55.00	1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____					
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SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Peter J. Prommer	Registration No. (Attorney or Agent)	54,743	Telephone	312-775-8000
Signature				Date	August 18, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



PATENT  
Attorney Docket No. 15358US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT APPLICATION OF:

Anthony J. Governo

SERIAL NO.: 10/813,456

FILED: 3-29-04

FOR: PORTABLE CUTTING  
APPARATUS

) **CERTIFICATE OF MAILING**  
)

) I hereby certify that this correspondence is  
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) addressed to: Mail Stop Missing Parts,  
) Commissioner for Patents, P.O. Box 1450,  
) Alexandria, VA 22313-1450, on

) 8/18/2004  
)  
)  
) By: Peter J. Prommer  
Peter J. Prommer  
Reg. No. 54,743

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice To File Missing Parts of Nonprovisional Application dated June 14, 2004 (return copy enclosed), enclosed is a check in the amount of \$65.00 to cover (1) \$65.00 Late Oath or Declaration surcharge. A signed Declaration is submitted with this response.

Please charge any additional fees, or credit any overpayment, incurred in connection with this submission to Deposit Account No. 13-0017.

Respectfully submitted,

**MCANDREWS, HELD & MALLOY, LTD.**

By: 

Peter J. Frommer

Reg. No. 54,743

Attorney for Applicant(s)

34th Floor

500 West Madison Street

Chicago, IL 60661

(312) 775-8000

Dated: 8/18/04